

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE TEZOS SECURITIES LITIGATION

This document relates to the All Actions.

Master File No. 17-cv-06779-RS

**[PROPOSED] ORDER GRANTING
MOTION OF DEFENDANTS TIMOTHY
C. DRAPER AND DRAPER ASSOCIATES
V CRYPTO LLC TO DISMISS
CONSOLIDATED COMPLAINT
PURSUANT TO FED. R. CIV. PROC.
12(b)(6)**

**Date: July 19, 2018
Time: 1:30 pm
Courtroom: 3, 17th Floor
Judge: Hon. Richard Seeborg**

1 The Motion of Defendants Timothy C. Draper and Draper Associates V Crypto LLC (the
2 “Draper Defendants”) to dismiss under Fed. Rule Civ. Pro. 12(b)(6) the claims against them in
3 this action for alleged violations of Sections 5, 12(a)(1) and 15(a) of the Securities Act of 1933
4 came on regularly for hearing. After consideration of the arguments in favor of and in opposition
5 to the Motion, the Motion is hereby GRANTED. Plaintiff fails to allege that either Draper
6 Defendant solicited the purchase of securities by Plaintiff as required under Sections 5 and
7 12(a)(1). Plaintiff fails to allege that he had any knowledge of or direct contact with either
8 Draper Defendant or that any communication from them had any impact whatsoever on Plaintiff’s
9 alleged investment decision.

10 Plaintiff also fails to allege that either Draper Defendant is a “control person” under
11 Section 15(a). Plaintiff fails to allege any facts that give rise to an inference that either Draper
12 Defendant had any specific or general control over the actions of the alleged primary violators -
13 Defendants Dynamic Ledger Solutions, Inc. (“DLS”) or the Tezos Foundation (the “Foundation”)
14 - that form the basis of the alleged securities violations.

15 Plaintiff’s Complaint against the Draper Defendants is hereby dismissed with prejudice.

16 IT IS SO ORDERED

17 Dated: _____

RICHARD SEEBORG
United States District Judge